

85th Legislative Session – 2010

Committee: House Agriculture and Natural Resources

Tuesday, February 09, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Cronin
P Frerichs
P Hoffman
P Kopp
P Olson (Betty)
P Schrempp
P Sly
P Sorenson
P Street
P Van Gerpen
P Verchio
P Vanneman, Vice-Chair
P Brunner, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chairman Brunner.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 4, 2010.

Moved by: Vanneman
Second by: Street
Action: Prevailed by voice vote.

HB 1121: require a permit and fee for public access on certain school and public lands and to establish a penalty.

Proponents: Representative Betty Olson (amendment 1121ta), Handouts 1, 2, & 3
Justin Ohleen, School & Public Lands
Charlie Flowers, SD Coalition of Schools

Opponents: Chris Hesla, SD Wildlife Federation
Dean Hyde, self, Pierre
Robert Barden, SD Bow Hunters, Pierre

MOTION: AMEND HB 1121

1121ta

On page 1, line 9, of the printed bill, delete "Office of School and Public Lands" and insert "Department of Game, Fish and Parks".

On page 1, line 10, delete "commissioner of school" and insert "Game, Fish and Parks Commission".

On page 1, line 11, delete "and public lands".

On page 1, line 12, delete "Fees" and insert "Of the fees".

On page 1, line 13, after "permit" insert ", an amount sufficient to meet the department's administrative costs related to the permit shall be deposited in the Department of Game, Fish and Parks fund, and the remainder".

Moved by: Olson (Betty)
Second by: Schrempp
Action: Prevailed by voice vote.

MOTION: DEFER HB 1121 TO THE 41ST LEGISLATIVE DAY

Moved by: Van Gerpen
Second by: Verchio
Action: Prevailed by roll call vote. (8-4-1-0)

Voting Yes: Cronin, Hoffman, Kopp, Sly, Street, Van Gerpen, Verchio, Vanneman

Voting No: Frerichs, Olson (Betty), Schrempp, Brunner

Excused: Sorenson

HB 1139: clarify the application of common law civil trespass on agricultural land and to provide for the recovery of liquidated damages against trespassers.

Proponents: Representative Betty Olson
Opponents: Brenda Forman, SD Association of Cooperatives
Dean Hyde, self, Pierre
Kathleen Zander, SD Agri-Business Association
Rick Vallery, SD Wheat Inc.
Richard Neill, Department of Games, Fish and Parks
Chris Hesla, SD Wildlife Federation

MOTION: DEFER HB 1139 TO THE 41ST LEGISLATIVE DAY

Moved by: Verchio
Second by: Hoffman
Action: Prevailed by roll call vote. (11-2-0-0)

Voting Yes: Cronin, Frerichs, Hoffman, Kopp, Sly, Sorenson, Street, Van Gerpen, Verchio, Vanneman, Brunner

Voting No: Olson (Betty), Schrempp

HB 1146: provide for the regulation of certain commercial dog breeding operations.

Proponents: Representative Elaine Elliott
Opponents: Dustin Oedenkoven, State Veterinarian
Blair Dunn, SD Department of Agriculture
Linda Van Den Hoek, Dakota Pet Breeders Assn.
Nancy Ogle, self, Irene
Elva Lefdal, self, Howard
Lori Huber, Self, Irene
Gary Sanborn, self, Madison
Lorin Pankratz, SD Pork Producers Council
Michael Held, SD Farm Bureau

MOTION: DEFER HB 1146 TO THE 41ST LEGISLATIVE DAY

Moved by: Sorenson
Second by: Vanneman
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Cronin, Frerichs, Hoffman, Kopp, Olson (Betty), Schrempp, Sly, Sorenson, Street, Van Gerpen, Verchio, Vanneman, Brunner

HB 1274: repeal certain restrictions relating to the location of apiaries.

Proponents: Representative Jason Frerichs (Handout 5)

Opponents: Eric Andress, self, Lodgepole

The Chair deferred HB 1274 until Thursday, February 11, 2010.

MOTION: ADJOURN

Moved by: Hoffman

Second by: Olson (Betty)

Action: Prevailed by voice vote.

Grace Curtis
Committee Secretary

Thomas J. Brunner, Chair

85th Legislative Session – 2010

Committee: House Health and Human Services

Tuesday, February 09, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Blake
P Boomgarden
P Conzet
P Curd
E Iron Cloud III
P Jensen
P Lucas
E Moser
P Nygaard
P Rave, Vice-Chair
P Romkema
P Vanderlinde
P Pitts, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Pitts.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, FEBRUARY 2, 2010

Moved by: Rave
Second by: Nygaard
Action: Prevailed by voice vote.

HB 1203: provide for the regulation of acupuncturists.

Presented by: Representative Kristi Noem
Proponents: Kayte Halstead, Rapid City
Mary Maisey-Ireland, Rapid City
Adam Graves, Watertown

Colleen Ragan, Rapid City
Mina Larson, NCCAOM (Handout: 1)
Kobi Ebert, Rapid City
Opponents: Margaret Hansen, Department of Health/SD Board of Medical Examiners
Roger Shewmake, Sioux Falls (Handout: 2)
Tim Dougherty, SD Physical Therapy Association
Jim Hood, SD Chiropractor's Association
Dave Gerdes, SD State Medical Association

MOTION: AMEND HB 1203

1203jb

On page 5, line 17, of the printed bill, delete "and".

On page 5, between lines 17 and 18, insert:

"

(3) Physical therapists licensed pursuant to chapter 36-10; and".

On page 5, line 18, delete "(3)" and insert "(4)".

Moved by: Boomgarden
Second by: Rave
Action: Prevailed by voice vote.

MOTION: AMEND HB 1203

1203jc

On page 4, line 7, of the printed bill, delete "Three" and insert "Four".

On page 4, line 7, after ", " insert "and".

On page 4, line 8, delete everything after "acupuncture" and insert ".".

On page 4, line 9, delete everything before "Each" .

Moved by: Nygaard
Second by: Jensen

Action: Prevailed by voice vote.

MOTION: DEFER HB 1203 TO THE 41ST LEGISLATIVE DAY

Moved by: Boomgarden

Second by: Lucas

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DO PASS HB 1203 AS AMENDED

Moved by: Nygaard

Second by: Jensen

Action: Failed by roll call vote. (2-9-2-0)

Voting Yes: Jensen, Nygaard

Voting No: Blake, Boomgarden, Conzet, Curd, Lucas, Rave, Romkema, Vanderlinde, Pitts

Excused: Iron Cloud III, Moser

THE MOTION TO DEFER HB 1203 TO THE 41ST LEGISLATIVE DAY

Moved by: Boomgarden

Second by: Lucas

Action: PREVAILED BY ROLL CALL VOTE. (9-2-2-0)

Voting Yes: Blake, Boomgarden, Conzet, Curd, Lucas, Rave, Romkema, Vanderlinde, Pitts

Voting No: Jensen, Nygaard

Excused: Iron Cloud III, Moser

HB 1183: authorize birth centers to operate in the state.

Presented by: Representative Phil Jensen (Handouts: 3, 4)

Proponents: Sara Coulter-Danner, Hotsprings (Handouts: 5, 6, 7)
Doneen Hollingsworth, Department of Health
Luke Temple, Dakota Rural Action
Mandy Hagseth, SD Advocacy Network of Women
Debbie Pease, SD Safe Childbirth Options INC.
Deb Fischer Clemens, Avera Health
Rebekah Craddock, SDAHO, Sioux Falls

Dean Krogman, SD State Medical Association
Brittany Novotny, SD Nurses Association

MOTION: AMEND HB 1183

1183ja

On page 1, line 3, of the printed bill, delete "Notwithstanding § 34-12-7, any" and insert "Any".

On page 1, line 5, after "Centers" insert ", and is licensed by the state in accordance with chapter 34-12,".

On page 1, after line 6, insert:

" Section 2. That § 34-12-1.1 be amended to read as follows:

34-12-1.1. Terms used in this chapter mean:

- (1) "Ambulatory surgery center," any facility which is not part of a hospital and which is not an office of a dentist, whether for individual or group practice, in which surgical procedures requiring the use of general anesthesia are performed upon patients;
- (2) "Assisted living center," any institution, rest home, boarding home, place, building, or agency which is maintained and operated to provide personal care and services which meet some need beyond basic provision of food, shelter, and laundry;
- (3) "Chemical dependency treatment facility," any facility which provides a structured inpatient treatment program for alcoholism or drug abuse;
- (4) "Health care facility," any institution, sanitarium, maternity home, birth center, ambulatory surgery center, chemical dependency treatment facility, hospital, nursing facility, assisted living center, rural primary care hospital, adult foster care home, inpatient hospice, residential hospice, place, building, or agency in which any accommodation is maintained, furnished, or offered for the hospitalization, nursing care, or supervised care of the sick or injured;
- (5) "Hospital," any establishment with an organized medical staff with permanent facilities that include inpatient beds and is primarily engaged in providing by or under the supervision of physicians, to inpatients, any of the following services: diagnostic or therapeutic services for the medical diagnosis, treatment, or care of injured, disabled, or sick persons; obstetrical services including the care of the newborn; or rehabilitation services for injured, disabled, or sick persons. In no event may the inpatient beds include nursing facility beds or assisted living center beds unless the same are licensed as such pursuant to this chapter;
- (6) "Maternity home," any institution, place, building, or agency in which, within a period of six months, more than one woman, during pregnancy, or during or after delivery, except

women related by blood or marriage, are kept for care or treatment; or which has in its custody or control at any one time, two or more infants under the age of two years, unattended by parents or guardians, for the purpose of providing them with care, food, and lodging, except infants related to the one having such custody or control by blood or marriage;

- (7) "Nursing facility," any facility which is maintained and operated for the express or implied purpose of providing care to one or more persons whether for consideration or not, who are not acutely ill but require nursing care and related medical services of such complexity as to require professional nursing care under the direction of a physician on a twenty-four hour per day basis; or a facility which is maintained and operated for the express or implied purpose of providing care to one or more persons, whether for consideration or not, who do not require the degree of care and treatment which a hospital is designed to provide, but who because of their mental or physical condition require medical care and health services which can be made available to them only through institutional facilities;
- (8) "Critical access hospital," any nonprofit or public hospital providing emergency care on a twenty-four hour basis located in a rural area which has limited acute inpatient services, focusing on primary and preventive care, and which has in effect an agreement with a general hospital that provides emergency and medical backup services and accepts patient referrals from the critical access hospital. For the purposes of this subdivision, a rural area is any municipality of under fifty thousand population;
- (9) "Adult foster care home," a family-style residence which provides supervision of personal care, health services, and household services for no more than four aged, blind, physically disabled, developmentally disabled, or socially-emotionally disabled adults;
- (10) "Inpatient hospice," any facility which is not part of a hospital or nursing home which is maintained and operated for the express or implied purpose of providing all levels of hospice care to terminally ill individuals on a twenty-four hour per day basis; ~~and~~
- (11) "Residential hospice," any facility which is not part of a hospital or nursing home which is maintained and operated for the express or implied purpose of providing custodial care to terminally ill individuals on a twenty-four hour per day basis;
- (12) Birth center," a homelike facility existing within a health care system with a program of care designed in the wellness model of pregnancy and birth that provides family-centered care for healthy women before, during, and after normal pregnancy, labor, and birth."

Moved by: Rave
Second by: Nygaard
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1183 AS AMENDED

Moved by: Nygaard
Second by: Romkema
Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Blake, Boomgarden, Conzet, Curd, Jensen, Lucas, Nygaard, Rave, Romkema, Vanderlinde, Pitts

Excused: Iron Cloud III, Moser

HB 1204: authorize reasonable suspicion testing and prohibit the use of controlled substances by welfare recipients.

Presented by: Representative Phil Jensen
Opponents: Deb Bowman, Department of Social Services
Emmett Reistroffer, Sioux Falls
Terrance Dosch, SD Council of Mental Health Centers
Dave Gerdes, SD State Medical Association

MOTION: TO TABLE HB 1204

Moved by: Curd
Second by: Rave
Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Blake, Boomgarden, Conzet, Curd, Jensen, Lucas, Nygaard, Rave, Romkema, Vanderlinde, Pitts

Excused: Iron Cloud III, Moser

MOTION: ADJOURN

Moved by: Curd
Second by: Rave
Action: Prevailed by voice vote.

Joshua Klumb
Committee Secretary

Carol A. Pitts, Chair

85th Legislative Session – 2010

Committee: House Local Government

Tuesday, February 09, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Bolin
P Cronin
P Curd
P Feickert
P Frerichs
P Lederman
P Olson (Betty)
P Rausch, Vice-Chair
P Romkema
P Rounds
P Solberg
P Vanderlinde
P Kirkeby, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Mark Kirekeby.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 4, 2010

Moved by: Rounds
Second by: Rausch
Action: Prevailed by voice vote.

HB 1174: authorize an increase in the compensation for members of the board of directors of water user districts.

Presented by: Representative Jamie Boomgarden
Proponents: Bob Riter, SD Rural Water District
Drew Duncan, BY Water District

MOTION: DEFER HB 1174 TO THE 41ST LEGISLATIVE DAY

Moved by: Rounds

Second by: Rausch

Action: Prevailed by roll call vote. (7-5-1-0)

Voting Yes: Curd, Olson (Betty), Rausch, Romkema, Rounds, Solberg, Vanderlinde

Voting No: Bolin, Cronin, Frerichs, Lederman, Kirkeby

Excused: Feickert

HB 1227: establish certain road maintenance responsibilities for townships.

MOTION: DEFER HB 1227 UNTIL ANOTHER DAY

Action: Was not acted on.

HB 1239: establish certain procedures for counties to follow when requiring landowners to cut and remove grass, weeds, and brush from the road right-of-way.

Presented by: Representative Justin Cronin

Proponents: Bob Wilcox, SD Association of County Commissioners
Mitch Richter, SD Invasive Species Management Assn.

MOTION: AMEND HB 1239

1239fa

On page 1, line 10, of the printed bill, delete "county road" and insert "secondary road located within an unorganized township".

Moved by: Rausch

Second by: Curd

Action: Prevailed by voice vote.

MOTION: DO PASS HB 1239 AS AMENDED

Moved by: Rausch

Second by: Rounds
Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Bolin, Cronin, Curd, Lederman, Olson (Betty), Rausch, Romkema, Rounds, Solberg, Vanderlinde, Kirkeby

Excused: Feickert, Frerichs

HB 1241: establish an additional time period during which fireworks may be sold and discharged.

Presented by: Representative Dan Lederman
Proponents: Don Lantis, Self, N. Sioux City (Handout #1)
Dennis Anderson, Self, Vermillion

MOTION: DO PASS HB 1241

Moved by: Olson (Betty)
Second by: Lederman
Action: Prevailed by roll call vote. (11-1-1-0)

Voting Yes: Bolin, Cronin, Curd, Frerichs, Lederman, Olson (Betty), Romkema, Rounds, Solberg, Vanderlinde, Kirkeby

Voting No: Rausch

Excused: Feickert

HB 1196: establish a certain distance from the municipality's corporate limits in which the municipality has planning and zoning authority.

Proponents: Bob Wilcox, SD Association of County Commissioners
Dave Hazeltine, Custer County Commissioner
David Green, Custer (Handouts: #2)

Opponents: Jim Hood, Municipal League, SD

MOTION: AMEND HB 1196

1196fa

On page 1 of the printed bill, delete lines 4 to 15, inclusive, and insert:

"

Section 1. That chapter 11-6 be amended by adding thereto a NEW SECTION to read as follows:

Each municipality may exercise extraterritorial platting authority pursuant to Title 11, but within a certain distance from its corporate limits as established by this section. The distances are as follows:

- (1) Each first class municipality may establish extraterritorial platting authority within three miles of its corporate limits;
- (2) Each second class municipality may establish extraterritorial platting authority within one mile of its corporate limits; and
- (3) Each third class municipality may establish extraterritorial platting authority within one-half mile of its corporate limits.

Section 2. That § 11-6-26 be amended to read as follows:

11-6-26. After the city council governing body of any municipality has adopted a comprehensive plan that includes ~~at least a major street plan or has progressed in its comprehensive planning to the stage of making and adopting a major street plan;~~ and has filed a certified copy of the major street plan in the office of the register of deeds of the county in which the municipality is located, no plat of a subdivision of land lying within the municipality, or of land within ~~three miles of its corporate limits~~ the distance of the municipality's corporate limits as defined in section 1 of this Act and not located in any other municipality, may be filed or recorded unless the plat has the recommendation of the designated county planning authority and the city planning and zoning commission and the approval of the city council governing body of the municipality. As an alternative, the plat may be reviewed and approved in accordance with § 11-3-6. This provision applies to land within ~~three miles of the corporate limits of the municipality~~ the distance of the municipality's corporate limits as defined in section 1 of this Act and not located in any other municipality only if the comprehensive plan ~~or~~ and major street plan includes such land. However, if such ~~extra~~ extraterritorial municipal land lies within ~~three miles~~ the extraterritorial platting authority of more than one ~~first or second class~~ municipality, the jurisdiction of each municipality terminates at a boundary line equidistant from the respective corporate limits of the municipalities, unless otherwise agreed to by a majority vote of the governing body of each such municipality. The plats shall, after report and recommendations of the designated county planning authority and the city planning and zoning commission are made and filed, be approved or disapproved by the city council governing body of the municipality or reviewed and approved in accordance with § 11-3-6. The designated county planning authority and the city planning and zoning commission shall make its ~~recommendation~~ recommendations to the council governing body of the municipality within sixty days of submission."

Delete page 2.

On page 3, delete lines 1 to 11, inclusive.

Moved by: Frerichs
Second by: Feickert
Action: Failed by roll call vote. (6-7-0-0)

Voting Yes: Cronin, Feickert, Frerichs, Olson (Betty), Rounds, Kirkeby

Voting No: Bolin, Curd, Lederman, Rausch, Romkema, Solberg, Vanderlinde

MOTION: DEFER HB 1196 TO THE 41ST LEGISLATIVE DAY

Moved by: Rausch
Second by: Lederman
Action: Prevailed by roll call vote. (7-6-0-0)

Voting Yes: Bolin, Cronin, Curd, Lederman, Rausch, Romkema, Kirkeby

Voting No: Feickert, Frerichs, Olson (Betty), Rounds, Solberg, Vanderlinde

MOTION: RECONSIDER HB 1174

Moved by: Rounds
Second by: Frerichs
Action: Failed by roll call vote. (4-9-0-0)

Voting Yes: Feickert, Frerichs, Rounds, Kirkeby

Voting No: Bolin, Cronin, Curd, Lederman, Olson (Betty), Rausch, Romkema, Solberg, Vanderlinde

MOTION: ADJOURN

Moved by: Olson (Betty)
Second by: Lederman
Action: Prevailed by voice vote.

Jeanette Black
Committee Secretary

Mark Kirkeby, Chair

85th Legislative Session – 2010

Committee: House Taxation

Tuesday, February 09, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Cutler
E Feickert
P Gibson
P Greenfield
E Hunhoff (Bernie)
P Juhnke
P Kirkeby
E Kirschman
P Lange
P Lederman
E Noem, Vice-Chair
E Russell
P Solum
E Thompson
P Olson (Ryan), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Ryan Olson.

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 4, 2010

Moved by: Solum
Second by: Gibson
Action: Prevailed by voice vote.

THE CHAIR DEFERRED HB 1084 AND HJR 1002 TO ANOTHER DAY

HB 1041: repeal the discount on the sales of cigarette tax stamps to distributors.

Presented by: Michael Kenyon, Department of Revenue and Regulation (Handout: 1)

Proponents: Jim Terwilliger, Bureau of Finance and Management

Opponents: Bill Bailey, Amcon Distributing Company (Handout: 2)

David Keinroth, Farner-Bocken Company

Jeremiah M Murphy, McLane Company

THE CHAIR DEFERRED HB 1041

MOTION: ADJOURN

Moved by: Gibson

Second by: Cutler

Action: Prevailed by voice vote.

Lisa Shafer
Committee Secretary

Ryan P. Olson, Chair

85th Legislative Session – 2010

Committee: House Transportation

Tuesday, February 09, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Elliott
E Iron Cloud III
P Juhnke, Vice-Chair
P Kopp
P Lange
P McLaughlin
P Novstrup (David)
P Russell
P Schrempp
P Steele
P Street
P Verchio
P Krebs, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chair Krebs.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 4, 2010

Moved by: Juhnke
Second by: Steele
Action: Prevailed by voice vote.

HB 1042: increase certain billboard permit fees.

Presented by: Darin Bergquist, Department of Transportation
Proponents: Rick Hustad, self, Wall
Lorin Pankratz, Visitor Industry Alliance
Michele Brich, SD Inn keepers Assn.

MOTION: DO PASS HB 1042

Moved by: Juhnke

Second by: Russell

Action: Prevailed by roll call vote. (11-1-1-0)

Voting Yes: Elliott, Juhnke, Kopp, Lange, McLaughlin, Novstrup (David), Russell, Schrempp, Steele, Street, Krebs

Voting No: Verchio

Excused: Iron Cloud III

Chair passed gavel to Vice Chair

HB 1153: repeal the requirement that a railroad obtain authority from the Governor or the Transportation Commission before the railroad may exercise the power of eminent domain.

Presented by: Representative Shantel Krebs

Proponents: Bill Nevin, Department of Transportation
Joe Kraljic, Brotherhood of Maintenance of Way

Opponents: John Staben, Self, Oral SD
Flora Sterns, Self, Edgemont, SD
Paulene Staben, Self, Oral, SD
Jeremiah M. Murphy, SD Stockgrowers
Thomas Krafka, Self, Rapid City
Luke Temple, Dakota Rural Action

MOTION: TO TABLE HB 1153

Moved by: Russell

Second by: Verchio

Action: Prevailed by roll call vote. (7-5-1-0)

Voting Yes: Elliott, Kopp, Lange, Russell, Schrempp, Street, Verchio

Voting No: Juhnke, McLaughlin, Novstrup (David), Steele, Krebs

Excused: Iron Cloud III

Vice Chair passed gavel to Chair.

HB 1182: prohibit certain employment practices.

Presented by: Representative Phil Jensen

Opponents: Neil Fulton, Governor's Office
Shawn Lyons, SD Retailers Association
David Owen, SD Chamber of Commerce & Industry

MOTION: DEFER HB 1182 TO THE 41ST LEGISLATIVE DAY

Moved by: McLaughlin

Second by: Street

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DO PASS HB 1182

Moved by: Russell

Second by: Kopp

Action: Failed by roll call vote. (4-8-1-0)

Voting Yes: Kopp, Russell, Steele, Verchio

Voting No: Elliott, Juhnke, Lange, McLaughlin, Novstrup (David), Schrempp, Street, Krebs

Excused: Iron Cloud III

THE MOTION TO DEFER HB 1182 TO THE 41ST LEGISLATIVE DAY

Moved by: McLaughlin

Second by: Street

Action: PREVAILED BY ROLL CALL VOTE. (8-4-1-0)

Voting Yes: Elliott, Juhnke, Lange, McLaughlin, Novstrup (David), Schrempp, Street, Krebs

Voting No: Kopp, Russell, Steele, Verchio

Excused: Iron Cloud III

MOTION: ADJOURN

Moved by: Elliott

Second by: Juhnke

Action: Prevailed by voice vote.

Diane Mellan
Committee Secretary

Shantel Krebs, Chair